



U.S. Department of Energy

Grand Junction Office
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AUG 21 2002

Mr. Stephen Mahfood, Director
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102-0176

Subject: Response to Comments on Draft Long-Term Stewardship Documents for the Weldon Spring Site and Transmittal of the August, 2002, Draft Long-Term Stewardship Plan

Dear Mr. Mahfood:

Your agency submitted comments on the subject documents to the U.S Department of Energy (DOE) in November 2000 and September 2001. The DOE offers the attached responses to those comments and herewith transmits the draft Long-Term Stewardship (LTS) plan, in which these comments are incorporated.

As you are aware, over the past year DOE LTS initiatives have continued to evolve on a program-wide and site-specific basis. This includes developing and implementing mechanisms to effect a smooth transition of the Weldon Spring site into long-term stewardship status for perpetual federal custody and care.

The enclosed, revised, LTS plan has changed significantly from previous versions. First, the three previous stewardship documents have been consolidated into a single plan. Second, significant progress toward implementing site remedies since the previous versions of the documents were presented has allowed DOE to be more definitive in this LTS plan.

The DOE released this revised LTS plan for concurrent review by regulators, stakeholders, and the public. The DOE will seek input to and consensus on the plan from parties interested in the site. As recommended in your comments, DOE included general site information and specific instructions to preserve essential site knowledge for future stewards. The revised plan assumes that the user does not possess institutional knowledge of the site, provides a basic understanding of site conditions, and refers to more specific documentation, also as recommended in your comments. The plan also establishes roles and responsibilities for DOE and regulators.

Also enclosed are DOE responses to comments received from your agency on the previous stewardship documents. These responses address primarily the September 2001 comments. The DOE agrees with most of the technical comments offered by the Missouri Department of Natural Resources (MDNR) and has made additions or changes in the revised LTS plan that address those items. The DOE agrees with your assessment that some areas need institutional controls for occurrences of contaminated materials that cannot be released for unrestricted use and

Mr. Stephen Mahfood

-2-

AUG 21 2002

unlimited exposure. The DOE has annotated the responses with citations for the August 2002, LTS plan so previous reviewers can easily identify language that DOE revised in consideration of specific comments.

The MDNR programmatic comments regarding funding are not addressed in the attached LTS plan. The MDNR states that DOE must secure a perpetual funding stream, but DOE is constrained to work within the existing federal budget appropriations system that does not allow DOE to commit to expenditures beyond the current budget.

The DOE, as a team from the Weldon Spring site and the Grand Junction Office, trusts this document will help move DOE, its regulators, and stakeholders toward a final LTS plan that will ensure protection of human health and the environment well into the future. The DOE is proceeding with actions that will result in having an effective LTS plan in place for the Weldon Spring site as soon as possible. However, DOE acknowledges that the plan will be revised when the Ground Water Operable Unit is completed.

Your continued support and comments are appreciated. Please call me at (970) 248-6091 or Pam Thompson at the Weldon Spring site at (636) 926-7004 with questions or concerns about these responses or the overall preparations being made to initiate stewardship oversight of the Weldon Spring site. I hope to see you at the upcoming workshop on August 28, 2002, at the Weldon Spring Site Interpretive Center.

Sincerely,



Ray Pieness
Deputy Manager, DOE-GJO



Pam Thompson
Project Manager, WSSRAP

Enclosure

cc w/enclosure:

M. Garstand, MDNR

B. Geller, MDNR

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A. Kleinrath, DOE-GJO
C. Jacobson, Stoller
Project File LWEL 1.1 (A. Garcia)

Rmp/MSNRresponseltr.doc

Response to State of Missouri
Department of Natural Resources Comments
Dated September 28, 2001

Note: responses to comments refer to the response identifier on the attached MDNR comments.

- 1.2-2 DOE acknowledges that trace quantities of recycled uranium may have been shipped to the site during the early 1960s. Data records review, as well as additional sampling and analysis, have led DOE to conclude that possible trace quantities of transuranics associated with receipt of recycled uranium would now be safely contained in the disposal cell and would not represent a new hazard for long term stewardship.
- 1.3-1 DOE met cleanup criteria specified in the ROD for all areas of the Chemical Plant. This information has been presented in numerous Post-Remedial Action Reports for each work zone and will be addressed again in a final Remedial Action Report for the Chemical Plant Operable Unit. Residual risk is addressed in the Argonne National Laboratory Post Remediation Risk Assessment for the Chemical Plant Operable Unit dated March 2002.
- 1.3-2 Limited areas of the chemical plant property were remediated to subsurface criteria and then covered with at least 15 cm of clean fill. Remediated areas were reseeded. By design, DOE will maintain vegetation within the buffer area and may allow natural vegetation to establish beyond the buffer area. DOE will inspect restored areas annually for erosion or excavation and will repair damaged areas.
- 1.3-8 Agree. DOE recognizes that Spring 6301 is affected by site-related ground water contamination and has established that preferential flow paths exist between the Chemical Plant area and the spring. Spring 6303 may be affected, also. DOE will extend ground water use restrictions to Spring 6301 and will establish institutional controls to maintain recreational use in the area so the springs cannot be used for domestic water supply. These are described in Sections 2.6 and 3.7 of the August 2002, LTRS. Additional controls may be required as part of the remedy for the Ground Water Operable Unit.

In the 5300 drainage, DOE will establish institutional controls to preserve recreational use of the area and prevent residential use within a 200-foot-wide corridor centered on the surface water flow path. DOE believes that the source of contamination in water issuing from the springs was contaminated sediments and soil upstream of the springs, rather than contamination in a ground water system south of the regional ground water divide. Consequently, DOE believes that the significant portion of the contaminant source has been removed and water quality will improve at the springs. However, because cleanup limits for the 5300 drainage are risk based and the area can not be released for unrestricted use and unlimited exposure, DOE will maintain institutional controls in this area. These are described in Sections 2.6 and 3.7 of the August 2002, LTS plan.

- 1.3-9 This paragraph refers to institutional controls for contaminated soil left in place in the quarry. DOE will maintain institutional controls in this area through federal ownership

and will annotate the deed to ensure that future owners implement sufficient controls to prevent exposure to site hazards. These are described in Sections 2.6 and 3.7 of the August 2002, LTS plan.

1.4-1 Please see the response to programmatic comments in the cover letter.

1.4.3-1 The former three-volume stewardship plan has been combined into the August 2002, LTS plan.

DOE has specified a detailed stewardship program for the Weldon Spring site, as described in the August 2002, LTS plan. The program includes requirements for the 5-year review and DOE identifies the State of Missouri as a participant in the process. As required under CERCLA, EPA concurrence is obtained in consultation with the state. Please see the current LTS plan. DOE invites the State of Missouri to participate in site stewardship activities.

1.4.3-3 DOE will obtain EPA concurrence before implementing changes to the stewardship program for the Weldon Spring site (See Section 3.1). Such concurrence is granted in consultation with the state.

1.5-3 Agree. Please see the DOE response to Comment 1.3.8 above.

2.1-3 This statement apparently refers to grant money to fund activities by other agencies. DOE will negotiate such funding in good faith with potential oversight stewards such as St. Charles County, MDNR and the Weldon Spring Citizens Commission.

2.2 DOE accepts ultimate responsibility for maintaining site protectiveness and compliance. Agreements and permits DOE anticipates will be required for LTS are presented in Section 3.10 of the August 2002, LTS1 plan. Please see Section 1.2 of the August 2002, LTS plan for a presentation of applicable laws, regulations, and DOE orders.

2.3 DOE invites the State to participate in the 5-year review and offers all source documentation to the state, as may be requested. DOE is solely responsible for conducting the review and submitting a 5-year review report in a timely manner. DOE must acquire concurrence from EPA, in consultation with the State, to revise the stewardship program. Resolution of the issue of funding is beyond the scope of this communication. See Sections 3.1 and 3.4.

2.4 Agree. Please see Sections 2.6 and 3.7 of the August 2002, LTS plan for the current discussion of institutional controls specific to the Weldon Spring site. Please note that DOE intends to attach the actual institutional control instruments to the plan so future stewards will read the controls and be able to reference them quickly in public records.

2.5 DOE is developing an online document system for the Internet that will contain pertinent documents for the Weldon Spring site. DOE will also maintain a collection of documents at the interpretive center. DOE cannot promise that a computer will remain available at

the interpretive center for accessing the online collection, but this capability is available at local and regional libraries. Please see Section 3.13 of the August 2002 LTS plan. Also, please note that the steward, DOE Grand Junction Office, will obtain access to and notification for destruction of site documents that have been archived in federal records centers.

- 2.5.2 DOE will manage documents in accordance with National Archives and Records Administration regulations. Records essential to long-term stewardship will be retained in permanent collections.
 - 3. Agree. DOE acknowledges the importance of public participation in maintaining site protectiveness. Please see Section 3.12 in the August 2002, LTS plan. The public participation plan is attached to the Program Plan as Appendix E. and can be found at http://www.gjo.doe.gov/programs/ltsm/general/proj_info/ltsm-progplan/ltsmpln99n.pdf.
- Appendix A. DOE is still refining the stewardship funding estimates. This information will be made available in future revisions of the plan. FY03 funding levels are sufficient to continue the current groundwater-monitoring program and conduct all stewardship operations such as leachate management and cell maintenance. FY02 carry-over funds will be utilized to work toward a decision on the Groundwater Operable Unit, after which it will be possible to establish a stable long-term stewardship-funding estimate.